

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

SEP 02 2019

David J. Bradley, Clerk

United States of America
v.
Priscilla POSADA
YOB: 1985, U.S. Citizen

Case No.

M-19-2072-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 1, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 8, U.S.C. § 1324

Defendant knowingly or in reckless disregard of the fact that an alien has not received prior authorization to come to, enter, or reside in the United States, to bring to or attempts to bring to the United States in any manner whatsoever, such alien, regardless of any official action which may later be taken with respect to such alien.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.Sworn to and executed by reliable
electronic means, per FRCrP 4.1, &
probable cause found on: Q 10:55AM

Date:

9/2/19

City and state:

McAllen, Texas

Complainant's signature

Rolando Lerma Jr., HSI Special Agent
Printed name and title

Judge's signature

J. Scott Hacker, U.S. Magistrate
Printed name and title

Attachment "A"

I, Rolando Lerma Jr., Special Agent with United States Immigration and Customs Enforcement, Homeland Security Investigations (HSI), being duly sworn, depose and say the following:

On the evening of September 1, 2019, U.S. Customs and Border Protection Officers (CBPOs) encountered Priscilla POSADA, a United States Citizen, attempting to enter the United States from Mexico via the Rio Grande City, Texas Port of Entry in Rio Grande City, Texas, while driving a vehicle containing an undocumented 6-year old female child who was born in and is a citizen of Ecuador. CBPOs reported POSADA presented a valid State of Texas birth certificate indicating the child was hers in an attempt to smuggle the child into the United States.

HSI Special Agent (SA) Rolando Lerma Jr. responded to investigate and determined the child was a citizen of Ecuador with no proper permission or documents to enter the United States.

POSADA was read her Miranda Rights by HSI SA Lerma and POSADA was willing to provide information without an attorney present. POSADA said she intentionally presented her real daughter's valid birth certificate to CBPOs during inspection and questioning at the Port of Entry to make it seem that the Ecuadoran child was her biological child. POSADA said she made no effort to alert CBPOs that the child in the vehicle was not really hers because she intended to smuggle the child into the United States.

POSADA said she had made an agreement with an unidentified subject in Mexico to smuggle the child from Mexico to the child's relatives in Pennsylvania for \$5,000 U.S. dollars. POSADA said she knew that what she was doing was illegal but that she needed the money. POSADA said she knew the child was "illegal" because POSADA had made a previous agreement with this unidentified subject to smuggle a different undocumented child through the Rio Grande City, Texas Port of Entry in July of 2019, also in exchange for money; POSADA said she was successful on that occasion.